

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, March 11, 2015, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Lihu'e, on the following:

Bill No. 2577

A BILL FOR AN ORDINANCE AMENDING ZONING CONDITION IN ORDINANCE NO. PM-31-79, AND ORDINANCE NO. PM-2009-391 RELATING TO ZONING DESIGNATION IN PO'IPU, KAUAI (*John Horwitz, Peter Baldwin, Matthew B. Guard, and George Robinson, Successor Co- Trustees of the Eric A. Knudsen Trust under Deed of Trust dated April 30, 1922, Applicants*)

The purpose of this Bill is to amend Ordinance Nos. PM-31-79 and PM-2009-391 to allow the construction of a road that will provide direct access from Po'ipu Road to the Village at Po'ipu subdivision.

Bill No. 2578

A BILL FOR AN ORDINANCE AMENDING ZONING CONDITION IN ORDINANCE NO. PM-2001-354, RELATING TO ZONING DESIGNATION IN PO'IPU, KAUAI (*John Horwitz, Peter Baldwin, Matthew B. Guard, and George Robinson, Successor Co- Trustees of the Eric A. Knudsen Trust under Deed of Trust dated April 30, 1922, Applicants*)

The purpose of this Bill is to amend Ordinance No. PM-2001-354 to allow the construction of a road that will provide direct access from Po'ipu Road to the Village at Po'ipu subdivision.

All interested persons who wish to present their comments may do so at the public hearing. Written testimonies prior to the hearing would be appreciated. Copies of the proposed Bills are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend these Bills at its subsequent meetings. Meeting notices are posted at least 6 days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bills Nos. 2577 and 2578 were passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on February 11, 2015, by the following vote:

AYES: Chock, Hooser, Kagawa, Kaneshiro, Kualii, Yukimura,	
Rapoza	TOTAL - 7,
NOES: None	TOTAL - 0,
EXCUSED & NOT VOTING: None	TOTAL - 0,
RECUSED & NOT VOTING: None	TOTAL - 0.

Lihu'e, Hawaii
February 12, 2015

/s/ Ricky Watanabe
County Clerk, County of Kaua'i

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHUʻE, KAUAʻI, HAWAIʻI, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

(One publication – The Garden Island – February 18, 2015)

ORDINANCE NO. _____

BILL NO. 2578

**A BILL FOR AN ORDINANCE
AMENDING ZONING CONDITION IN ORDINANCE NO. PM-2001-354,
RELATING TO ZONING DESIGNATION IN PO'IPŪ, KAUA'I**

(John Horwitz, Peter Baldwin, Matthew B. Guard, and George
Robinson, Successor Co- Trustees of the Eric A. Knudsen
Trust under Deed of Trust dated April 30, 1922, Applicants)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE
OF HAWAII:

SECTION 1. Ordinance No. PM-2001-354 of the County of Kaua'i is
hereby amended by amending Condition Number 2 to read as follows:

"2. Access to Po'ipū Road from [lands rezoned in Ordinance
No. PM-31-79] the shopping center land identified as TMK: (4) 2-8-014:026
and 030 shall be limited at this time to Kiahuna Plantation Drive, and to a
temporary access to terminate five (5) years from the date of approval of this
ordinance, either directly from Po'ipū Road or from a driveway through [the
Kiahuna Tennis Club] a lot identified as TMK: (4) 2-8-014:021 which
connects to the project by crossing Hapa Road. The following shall be
complied with prior to the Applicant obtaining permanent access from Po'ipū
Road or Hapa Road to the shopping center, or prior to the development of
new accesses to other mauka rezoned Knudsen Po'ipū lands:

- (a) A master circulation plan shall be developed for the Knudsen Po'ipū
lands, which incorporates future private roads, crosswalks, pedestrian
and bicycle accesses throughout the Knudsen owned lands of Po'ipū
and within County rights-of-way, and integrating them with existing
and proposed development and accessways in the surrounding Po'ipū
area.
- (b) [Access] Permanent access to the shopping center land directly from
Po'ipū Road may be provided via a private road constructed to County
standards. However, amendments to existing zoning amendments and
LUC decision and orders pertaining to vehicular, bike and pedestrian
access to the mauka Knudsen lands in the Moana Corporation and
Poipulani Development Corporation project areas are required.
Amendment of the subdivision restriction on access from Po'ipū Road
shall also be obtained, if applicable."

SECTION 2. Ordinance material to be repealed is bracketed. New Ordinance material is underscored.

SECTION 3. If any provision of this ordinance or application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance, and to this end, the provisions of this ordinance are severable.

SECTION 4. This Ordinance shall take effect upon its approval.

Introduced by:



MASON K. CHOCK
(By Request)

DATE OF INTRODUCTION:

February 11, 2015

Līhu'e, Kaua'i, Hawai'i

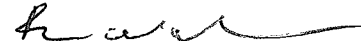
(V:BILLS\2014-2016 TERM\ KIAHUNA-POIPU PM-2001-354-MC-PM-lc.doc)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2578, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on February 11, 2015, by the following vote:

FOR PASSAGE:	Chock, Hooser, Kagawa, Kaneshiro, Kuali'i, Yukimura, Rapozo	TOTAL - 7,
AGAINST PASSAGE:	None	TOTAL - 0,
EXCUSED & NOT VOTING:	None	TOTAL - 0,
RECUSED & NOT VOTING:	None	TOTAL - 0.

Lihu'e, Hawai'i
February 12, 2015



Ricky Watanabe
County Clerk, County of Kaua'i